IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

WP(C).No. 21067 of 2007(S)

PETITIONER:

M.R.SETHU MADHAVAN,
AGED 41 YEARS,MANAPPATTU HOUSE
THIRUVAMKULAM P.O.

BY ADV. SRI.S.GIRISH

RESPONDENTS:

1. UNION OF INDIA,REPRESENTED BY THE
SECRETARY, MINISTRY OF PERSONNEL,NEW DELHI-1

2. DIRECTOR,CENTRAL BUREAU OF INVESTIGATION
(CBI),C.G.O. COMPLEX, NEW DELHI-1.

3. S.P. OF C.B.I.MR.R.M.KRISHNA,
HEAD OF THE SPECIAL INVESTIGATION TEAM,
C/O.C.B.I. DIRECTOR, NEW DELHI.
(INVESTIGATION CHARGE OF SR.ABHAYA CASE)

ASSISTANT SOLICITOR GENERAL SRI.P.PARAMESWARAN NAIR
STANDING COUNSEL FOR CBI SRI.S.SREEKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.P.(C) NO. 21067 OF 2007 S

Dated this the 9th July, 2007

JUDGMENT

H.L.DATTU, C.J.

This Writ Petition is filed as a Public Interest Litigation. The prayers in the Writ Petition are as under:

> "i) issue a writ of mandamus or other appropriate writ, order or direction directing the 2nd respondent to personally supervise/monitor the investigation in RC8(s)/93/SPE/KER which is now being investigated by the 3rd respondent.
>
> ii) issue a writ, order or direction as this Honourable Court may deem fit and proper to meet the ends of justice by taking appropriate steps and measures to monitor/supervise the investigation in RC8(s)/ 93/SPE/KER directly by this Honourable Court as held in 1996(6) Supreme Court Cases 500 (Fodder Scam Case)."

2. Having gone through the prayers made in the Writ Petition, we are of the firm opinion that the petition filed by the petitioner does not have the characteristics of a "Public Interest Litigation" as expressed by the Apex Court in several decisions. In that view of the matter, we decline to entertain this Writ Petition. Accordingly, the Writ Petition is dismissed.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/